

## **REMARKS**

Claims 1-6 and 8-21 are pending in the present application. By this amendment, claims 3, 6, and 18 are amended. Applicants respectfully request reconsideration of the present claims in view of the above amendments and following remarks.

### **I. Specification**

The disclosure, specifically paragraphs [0033]-[0034], is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Accordingly, as provided above, paragraphs [0033]-[0034] are amended to delete the embedded hyperlink and/or other form of browser-executable code. No new matter has been added by way of these amendments. Therefore, Applicants respectfully request withdrawal of this objection.

The title of the application is objected to as not being descriptive. In an effort to address the Examiner's concerns and expedite prosecution, the title is amended as provided above. Thus, Applicants respectfully request withdrawal of this objection.

### **II. Claim Rejections Under 35 U.S.C. 112, First Paragraph**

Claims 1-6 and 8-21 are rejected under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants respectfully traverse this rejection.

In particular, the Office Action specifically notes that for claims 1 and 18, there is allegedly no description for "a first time and a second time, wherein... if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the second time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory." Applicants respectfully disagree with this assertion.

First, Applicants respectfully submit that although claim 1 does include the above-identified recitation, claim 18 does not include this recitation. Therefore, the recitation of claim 18 will be discussed separately from that of claim 1.

Applicants respectfully submit that the specification contains sufficient description for claim 1 to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed subject matter. Specifically, paragraph [0029] provides description for the above-identified recitation of claim 1. Paragraph [0029] is reproduced below for reference:

[0029] The video recorder 10 may also utilize a calendar 74. The set 16 of rules may be modified according to particular times and dates. During work hours, for example, the set 16 of rules may be suspended to ignore motion in the vicinity of the door 66. From 6 AM to 6 PM the door 66 may be subjected to repeated opening and closing, so the rule(s) that normally trigger a response could be suspended to avoid consuming memory. Another example might be moving shadows created by the swaying tree 68. During long summer days (*e.g.*, June to September), shadows that are projected through the swaying tree 68 may be trigger unnecessary recording for “uninteresting” events. The set 16 of rules, then, may specify a higher threshold of detected motion during summer months. The rest of the year shadow motion may not be a concern.

As discussed in paragraph [0029] of the specification, the set of rules may be modified according to particular times. For example, during working hours, a motion that would typically trigger a response (*i.e.*, transfer of the contents of the loop buffer to a memory device) may be suspended to avoid consuming memory. Thus, if the motion occurred during working hours, the contents of the loop buffer would not be transferred to the memory device because that typical response would be suspended to avoid consuming memory, according to exemplary embodiments. This description supports the recitation of claim 1 because, as described in paragraph [0029], if the occurrence happens at a particular time, the at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory. Therefore, Applicants respectfully request withdrawal of the rejection of claim 1 and the rejection of claims 2-6 and 8-17 which depend from claim 1.

Claim 18 recites “a second occurrence, wherein if the first occurrence happens, then the set of rules further specifies determining whether the second occurrence is also happening, and if the second occurrence is also happening, then the set of rules further specifies that at least one of

the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory.” Applicants respectfully submit that the specification contains sufficient description for claim 18 to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed subject matter. Specifically, paragraph [0030] provides description for the above-identified recitation of claim 18. Paragraph [0030] is reproduced below for reference:

[0030] The video recorder 10 may interface with other means for sensing events. The video recorder 10 could interface with the door switch and/or the pressure pad (shown collectively as reference numeral 44) to detect motion in the door 66. The set 16 of rules could specify what conditions of the door switch and/or the pressure pad that activate the video recorder 10. The video recorder 10 could also interface with the Heating, Ventilation, and Air Conditioning (HVAC) system 42. When an exhaust fan 76 operates, the exhaust fan 76 may create motion in the tree 68. The set 16 of rules, then, could specify that motion in the tree 68 is ignored while the exhaust fan 76 operates. Suppose, too, a sign 78 hung from a ceiling sways when the exhaust fan 76 operates. The set 16 of rules could specify that when the exhaust fan 76 operates during non-business hours, the motion of the swaying sign 78 is ignored/acceptable. The set 16 of rules may even proactively shut down the exhaust fan 76 to verify that the motion is not caused by an intruder taking advantage of the rule. The set 16 of rules could further specify that motion is ignored when sound frequencies of a lawn mower are detected. The video recorder 10 interfaces with these means for sensing the event and initiates the video data 18 and/or the audio data 22 of the event (e.g., motion in the door 66).

As discussed in paragraph [0030], if a sign hung from a ceiling is swaying and the exhaust fan is operating, then the motion of the sign is ignored such that the motion from the sign does not cause the contents of the loop buffer to be transferred to the memory. This description supports the recitation of claim 18 because, as described in paragraph [0030], if a first occurrence happens, then it is determined whether a second occurrence is also happening, and if the second occurrence is also happening, then the at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory. Therefore,

Applicants respectfully request withdrawal of the rejection of claim 18 and the rejection of claims 19-21 which depend from claim 18.

The Office Action also notes that for claims 3 and 21, there is no description for “the set of rules further specifies that the other occurrence is stopped to verify that the occurrence is caused by the other occurrence.” Claim 21 recites a similar recitation. Applicants respectfully disagree with this assertion.

Applicants respectfully submit that the specification contains sufficient description for claims 3 and 21 to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Specifically, paragraph [0030], which is reproduced above, provides description for the above-identified recitation of claims 3 and 21. As discussed in paragraph [0030], with regards to the sign and exhaust fan example, the set of rules may proactively shut down the exhaust fan to verify that the motion is not caused by an intruder taking advantage of the rule. This description supports the recitations of claims 3 and 21 because, as described in paragraph [0030], if the other occurrence is happening when the occurrence happens, then the set of rules specifies that the other occurrence is stopped to verify that the occurrence is caused by the other occurrence. Therefore, Applicants respectfully request withdrawal of the rejection of claims 3 and 21.

### III. Claim Rejections Under 35 U.S.C. 112, Second Paragraph

Claims 3 and 6 were rejected under 35 U.S.C. §112, second paragraph, as allegedly having insufficient antecedent basis for “the another occurrence” recitation. Although Applicants respectfully disagree with this rejection, claims 3 and 6 are amended to recite “an other occurrence” and “the other occurrence” in an effort to address the Examiner’s concerns and expedite prosecution. Therefore, Applicants respectfully request withdrawal of these rejections.

### IV. Claim Rejections Under 35 U.S.C. 103(a) Over Basir, Stockum, and Brodsky

Claims 1, 3-6, 12-17, and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent Application Publication No. 2003/0154009 to Basir et al. (hereinafter “Basir”) in view of United States Patent No. 5,301,240 to Stockum et al. (hereinafter “Stockum”) in further view of United States Patent Application Publication No. 2003/0058341 to Brodsky et al. (hereinafter “Brodsky”). This rejection is respectfully traversed.

A. Claims 1, 3-6, and 12-17 are allowable.

Claim 1 recites that a video recorder comprises a loop buffer also storing at least one of the audio data and the video data of the event, the loop buffer also storing at least one of time-delayed audio data and time-delayed video data that precedes the event; and a set of rules stored in the memory, the set of rules specifying i) at least one of a region of interest and a region of disinterest within a single picture frame, ii) an occurrence that causes transfer of at least one of the time-delayed video data and the time-delayed audio data from the loop buffer to the memory, and iii) a first time and a second time, wherein if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the first time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is transferred from the loop buffer to the memory, and if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the second time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory.

Basir does not teach, suggest, or describe a video recorder including the features recited by claim 1. On the contrary, Basir describes a system for monitoring and analyzing real time visual and non-visual information operative to receive an eccentric event signal; when the eccentric event is received, continue to record for a fixed period of time; and once this time has elapsed, copy the data from a volatile memory, such as a circular buffer, to a non-volatile memory. This is not analogous to the video recorder recited by claim 1 because Basir fails to teach, suggest, or describe a set of rules specifying at least one of a region of interest and a region of disinterest within a single picture frame and specifying a first time and a second time, wherein if an occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the first time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is transferred from the loop buffer to the memory; and if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the second time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory. In fact, Basir is completely silent with regards to specifying at least one of a region of interest and a region of disinterest within a

single picture frame and is also completely silent with regards to specifying a first time and a second time such that at least one of the time-delayed video data and the time-delayed audio data is/is not transferred from a loop buffer to memory depending on whether an occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at either the first time or second time, respectively.

The Office Action acknowledges the above-identified deficiencies of Basir and relies on the teachings of Stockum and Brodsky to cure, allegedly, the deficiencies of Basir. However, like Basir, neither Stockum nor Brodsky teaches, suggests, or describes a video recorder including the features recited by claim 1.

In contrast, Stockum describes a solid state high-speed video camera operative to capture images and provide the images to an operator who can choose to transfer a particular number of frames of the images to permanent storage. This is not analogous to the video recorder recited by claim 1 because, like Basir, Stockum completely fails to teach, suggest, or describe a set of rules specifying at least one of a region of interest and a region of disinterest within a single picture frame and specifying a first time and a second time such that at least one of the time-delayed video data and the time-delayed audio data is/is not transferred from a loop buffer to memory depending on whether an occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at either the first time or second time, respectively.

Further, Brodsky describes an apparatus for detecting the occurrence of a specific event including a camera operative to capture image data of a scene; and a processor operative to detect and track an object of interest in the data image, analyze features of the object of interest, compare the analyzed features with predetermined criteria indicative of a specific event, determine whether a specific event has occurred based on the comparison, and if the specific event has occurred, then output a result of the detection to, for instance, a central monitoring station. This is not analogous to the video recorder recited by claim 1 because, like Basir and Stockum, Brodsky completely fails to teach, suggest, or describe a set of rules specifying a first time and a second time such that at least one of the time-delayed video data and the time-delayed audio data is/is not transferred from a loop buffer to memory depending on whether an occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at either the first time or second time, respectively.

In fact, the Office Action does not assert or point to support in Basir, Stockum, or Brodsky that any of these references, either separately or combined, teaches or suggests a set of rules specifying a first time and a second time, wherein if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the first time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is transferred from the loop buffer to the memory, and if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the second time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory as recited by claim 1. Accordingly, if the Office Action continues to use the combined teachings of Basir, Stockum, and Brodsky to reject claim 1, Applicants respectfully request that the Office Action point to support in the references for these recitations.

For at least the reasons given above, Applicants respectfully submit that claim 1 is allowable over the combined teachings of Basir, Stockum, and Brodsky. Since claims 3-6 and 12-17 depend from claim 1 and recite additional features, Applicants respectfully submit that claims 3-6 and 12-17 are also allowable over the combined teachings of Basir, Stockum, and Brodsky. Accordingly, withdrawal of these rejections is respectfully requested.

B. Claim 21 is allowable.

Claim 21 depends from claim 18, and claim 18 recites that a video recorder comprises a loop buffer also storing at least one of the audio data and the video data of the event, the loop buffer also storing at least one of time-delayed audio data and time-delayed video data that precedes the event; and a set of rules stored in the memory, the set of rules specifying i) a first occurrence that causes transfer of at least one of the time-delayed video data and the time-delayed audio data from the loop buffer to the memory and ii) a second occurrence, wherein if the first occurrence happens, then the set of rules further specifies determining whether the second occurrence is also happening, and if the second occurrence is also happening, then the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory.

The combined teachings of Basir, Stockum, and Brodsky fail to teach, suggest, or describe a video recorder including the features recited by claim 18. On the contrary, Basir

describes a system for monitoring and analyzing real time visual and non-visual information operative to receive an eccentric event signal; when the eccentric event is received, continue to record for a fixed period of time; and once this time has elapsed, copy the data from a volatile memory, such as a circular buffer, to a non-volatile memory. This is not analogous to the video recorder recited by claim 18 because Basir fails to teach, suggest, or describe a set of rules specifying a second occurrence, wherein if the first occurrence happens, then the set of rules further specifies determining whether the second occurrence is also happening, and if the second occurrence is also happening, then the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory. Instead, Basir describes receiving an eccentric event signal, continuing to record for a fixed period of time after receiving the eccentric event signal, and then copying the data from a volatile memory to a non-volatile memory, without any mention of determining whether a second occurrence is also happening, and if so, then not transferring the data to a non-volatile memory.

Similar to Basir, Stockum fails to teach, suggest, or describe a video recorder including the features recited by claim 18. In contrast, Stockum describes a solid state high-speed video camera operative to capture images and provide the images to an operator who can choose to transfer a particular number of frames of the images to permanent storage. This is not analogous to the video recorder recited by claim 18 because Stockum fails to teach, suggest, or describe a set of rules specifying a second occurrence, wherein if the first occurrence happens, then the set of rules further specifies determining whether the second occurrence is also happening, and if the second occurrence is also happening, then the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory.

Similar to Basir and Stockum, Brodsky fails to teach, suggest, or describe a video recorder including the features recited by claim 18. On the contrary, Brodsky describes an apparatus for detecting the occurrence of a specific event including a camera operative to capture image data of a scene; and a processor operative to detect and track an object of interest in the data image, analyze features of the object of interest, compare the analyzed features with predetermined criteria indicative of a specific event, determine whether a specific event has occurred based on the comparison, and if the specific event has occurred, then output a result of



the detection to, for instance, a central monitoring station. Brodsky fails to even mention that the image data is transferred from a loop buffer to a memory in response to the happening of the specific event. Therefore, it follows that Brodsky fails to teach, suggest, or describe that if another event is happening when the specific event is also happening, then the image data is not transferred from the loop buffer to the memory.

For at least the reasons given above, Applicants respectfully submit that claim 18 is allowable over the combined teachings of Basir, Stockum, and Brodsky. Since claim 21 depends from claim 18 and recites additional features, Applicants respectfully submit that claim 21 is also allowable over the combined teachings of Basir, Stockum, and Brodsky. Accordingly, withdrawal of this rejection is respectfully requested.

V. Claim Rejections Under 35 U.S.C. §103(a) Over Basir, Stockum, Brodsky, and Krishnamurthy

Claim 2 is rejected under 35 U.S.C. §103(a) as being unpatentable over Basir in view of Stockum in view of Brodsky and further in view of United States Patent No. 6,496,607 to Krishnamurthy et al. (hereinafter “Krishnamurthy”). This rejection is respectfully traversed.

For at least the reasons given above, claim 1 is allowable over the combined teachings of Basir, Stockum, and Brodsky. Since claim 2 depends from claim 1 and recites additional features, Applicants respectfully submit that claim 2 is also allowable over the combined teachings of Basir, Stockum, and Brodsky.

Krishnamurthy fails to cure the deficiencies of the combined teachings of Basir, Stockum, and Brodsky. In contrast, Krishnamurthy describes an apparatus operative to classify regions of an image, based on the relative importance of various areas, and to allocate resources based on the importance information so that the important regions of the image are enhanced. This is not analogous to the video recorder recited in claim 1 because Krishnamurthy fails to teach, suggest, or describe that the apparatus includes a set of rules specifying an occurrence that causes transfer of at least one of time-delayed video data and time-delayed audio data from a loop buffer to a memory and specifying a first time and a second time, wherein if the occurrence happens within at least one of a region of interest and a region of disinterest within a single picture frame at a first time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is transferred from the loop buffer to the memory,

and if the occurrence happens within the at least one of the region of interest and the region of disinterest within a single picture frame at the second time, the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory. Instead, Krishnamurthy describes that the apparatus identifies regions of importance of an image and then enhances those regions, without teaching, suggesting, or describing that the apparatus includes a set of rules that specifies an occurrence that causes transfer of at least one of time-delayed video data and time-delayed audio data from a loop buffer to a memory and specifies a first time and a second time such that if the occurrence happens within at least one of a region of interest and a region of disinterest at the first time, then the data is transferred from the loop buffer to the memory and if the occurrence happens within at least one of a region of interest and a region of disinterest at the second time, then the data is not transferred from the loop buffer to the memory.

For at least these reasons, claim 1 is allowable over the combined teachings of Basir, Stockum, Brodsky, and Krishnamurthy. Since claim 2 depends from claim 1 and recites additional features, Applicants respectfully submit that claim 2 is also allowable over the combined teachings of Basir, Stockum, Brodsky, and Krishnamurthy.

#### VI. Claim Rejections Under 35 U.S.C. §103(a) Over Basir and Stockum

Claims 18-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Basir in view of Stockum. This rejection is respectfully traversed.

As amended, claim 18 recites that a video recorder comprises a processor communicating with memory, the memory storing at least one of audio data and video data of an event, the video data comprising a series of picture frames; a loop buffer also storing at least one of the audio data and the video data of the event, the loop buffer also storing at least one of time-delayed audio data and time-delayed video data that precedes the event; and a set of rules stored in the memory, the set of rules specifying i) a first occurrence that causes transfer of at least one of the time-delayed video data and the time-delayed audio data from the loop buffer to the memory and ii) a second occurrence, wherein if the first occurrence happens, then the set of rules further specifies determining whether the second occurrence is also happening, and if the second occurrence is also happening, then the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory.

Basir does not teach, suggest, or describe a video recorder including the features recited by claim 18. On the contrary, Basir describes a system for monitoring and analyzing real time visual and non-visual information operative to receive an eccentric event signal; when the eccentric event is received, continue to record for a fixed period of time; and once this time has elapsed, copy the data from a volatile memory, such as a circular buffer, to a non-volatile memory. This is not analogous to the video recorder recited by claim 18 because Basir fails to teach, suggest, or describe a set of rules specifying a first occurrence that causes transfer of at least one of the time-delayed video data and the time-delayed audio data from the loop buffer to the memory and a second occurrence, wherein if the first occurrence happens, then the set of rules further specifies determining whether the second occurrence is also happening, and if the second occurrence is also happening, then the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory. Instead, Basir describes a system operative to receive an eccentric event signal; continue to record for a fixed period of time when the eccentric event signal is received; and once the fixed period of time has elapsed, copy the data from a volatile memory to a non-volatile memory, without teaching, suggesting, or describing determining whether a second occurrence is also happening, and if so, then not transferring the data from the volatile memory to the non-volatile memory.

The Office Action acknowledges the above-identified deficiencies of Basir and relies on the teachings of Stockum to cure, allegedly, the deficiencies of Basir. However, like Basir, Stockum does not teach, suggest, or describe a video recorder including the features recited in claim 18. In contrast, Stockum describes a solid state high-speed video camera operative to capture images and provide the images to an operator who can choose to transfer a particular number of frames of the images to permanent storage. This is not analogous to the video recorder recited by claim 18 because, like Basir, Stockum completely fails to teach, suggest, or describe a set of rules specifying a first occurrence that causes transfer of at least one of the time-delayed video data and the time-delayed audio data from the loop buffer to the memory and a second occurrence, wherein if the first occurrence happens, then the set of rules further specifies determining whether the second occurrence is also happening, and if the second occurrence is also happening, then the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory.

In fact, the Office Action does not assert or point to support in Basir or Stockum that any of these references, either separately or combined, teaches or suggests a set of rules specifying a first occurrence that causes transfer of at least one of the time-delayed video data and the time-delayed audio data from the loop buffer to the memory and a second occurrence, wherein if the first occurrence happens, then the set of rules further specifies determining whether the second occurrence is also happening, and if the second occurrence is also happening, then the set of rules further specifies that at least one of the time-delayed video data and the time-delayed audio data is not transferred from the loop buffer to the memory. Accordingly, if the Office Action continues to use the combined teachings of Basir and Stockum to reject claim 18, Applicants respectfully request that the Office Action point to support in the references for these recitations.

For at least the reasons given above, Applicants respectfully submit that claim 18 is allowable over the combined teachings of Basir and Stockum. Since claims 19-20 depend from claim 18 and recite additional features, Applicants respectfully submit that claims 19-20 are also allowable over the combined teachings of Basir and Stockum. Accordingly, withdrawal of these rejections is respectfully requested.

VII. Claim Rejections Under 35 U.S.C. §103(a) Over Basir, Stockum, Brodsky, and Official Notice

Claims 8-11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Basir in view of Stockum in view of Brodsky and further in view of Official Notice. This rejection is respectfully traversed.

For at least the reasons given above, claim 1 is allowable over the combined teachings of Basir, Stockum, and Brodsky. Since claims 8-11 depend from claim 1 and recite additional features, Applicants respectfully assert that claims 8-11 are also allowable over the combined teachings of Basir, Stockum, and Brodsky.

The Official Notice taken by the Examiner for a mass-storage device, an optical storage device, a memory card, and a flash memory storage device fails to cure the deficiencies of the combined teachings of Basir, Stockum, and Brodsky. Moreover, Applicants respectfully assert that the recitations of claim 1 are not well-known or common knowledge in the art.

For at least these reasons, claim 1 is allowable over the combined teachings of Basir, Stockum, Brodsky, and Official Notice. Since claims 8-11 depend from claim 1 and recite

additional features, Applicants respectfully assert that claims 8-11 are also allowable over the combined teachings of Basir, Stockum, Brodsky, and Official Notice.

### **CONCLUSION**

In view of the foregoing amendment and remarks, Applicants respectfully submit that all of the pending claims in the present application are in condition for allowance. Reconsideration and reexamination of the application and allowance of the claims at an early date is solicited. If the Examiner has any questions or comments concerning this matter, the Examiner is invited to contact Applicants' undersigned attorney at the number below.

Respectfully submitted,

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